

SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the "Commission") and Matthew Finley.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. Matthew Finley*, Case No. 11-002;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on January 18, 2011, the Commission alleged facts in an Initiating Order that Matthew Finley violated the Executive Branch Code of Ethics at KRS 11A.020(1)(c) and (d);

WHEREAS, Matthew Finley was at all relevant times mentioned in the Initiating Order a "public servant" as defined in KRS 11A.010(9), and thus subject to the Executive Branch Code of Ethics; and

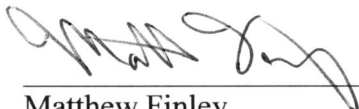
WHEREAS, Matthew Finley indicates his desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and Matthew Finley agree, pursuant to KRS 11A.100, as follows:

1. Matthew Finley admits that he committed a violation of the Executive Branch Code of Ethics at KRS 11A.020(1)(c) and (d) as stated in Appendix A to the Commission's Initiating Order of January 18, 2011, attached hereto and incorporated by reference herein.
2. Matthew Finley agrees to pay the Commission a civil penalty of two thousand dollars (\$2,000.00) concurrently with the execution of this Settlement Agreement.
3. Matthew Finley agrees that upon a Final Order being issued by the Commission that he waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.
4. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. Matthew Finley*, Agency Case No. 11-002.

5. This Settlement Agreement constitutes a public reprimand to Matthew Finley, a copy of which will be provided to his former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:




Matthew Finley

1/14/2011

Date

EXECUTIVE BRANCH ETHICS COMMISSION:



Chair, Ronald L. Green

1/18/11

Date

Angela R. Edwards

Angela Edwards

1/18/11

Date

W. David Denton

Member, W. David Denton

1/18/11

Date

William L. Knopf

Member, William L. Knopf

1.18.11

Date

William G. Francis

Member, William G. Francis

1-18-11

Date

**APPENDIX A
CASE NO. 11-002
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Matthew Finley, was at all times relevant an employee of the Commonwealth of Kentucky, serving in the Public Protection Cabinet, Office of Legal Services. The Respondent was subject to the jurisdiction of the Commission at all relevant times. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Matthew Finley committed the following violations:

COUNT I

Matthew Finley, during his course of employment with the Public Protection Cabinet, Office of Legal Services, used his official position to obtain financial gain for himself; and to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest at large by earning money as an online legal expert for *JustAnswer.com* while on state time. Specifically, Matthew Finley posted answers to online legal questions on *JustAnswer.com* during his normal working hours in his state position from January 4, 2010 to July 22, 2010. Matthew Finley receives money from *JustAnswer.com* for legal advice that he posts online. These facts constitute violations of KRS 11A.020(1)(c).

KRS 11A.020(1)(c) provides:

(1) No public servant, by himself or through others, shall knowingly:

(c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family.

COUNT II

Matthew Finley, during his course of employment with the Public Protection Cabinet, Office of Legal Services, used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest at large by using state resources to benefit himself in derogation of the public interest at large. Specifically, between January 14, 2010 and August 5, 2010, on multiple occasions Matthew Finley used a state Westlaw account to conduct legal research and a state computer to download documents for the purpose of answering online legal questions as an online legal expert for *JustAnswer.com* for the purpose of earning money. These facts constitute violations of KRS 11A.020(1)(d).

KRS 11A.020(1)(d) provides:

(1) No public servant, by himself or through others, shall knowingly:

(d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

(End of document)